

**RLI**

FILED

Bond Number: CMS0257806

2011 JUN -7 A 11: 26

Premium:

\$11,000.00Billed AnnuallyU.S. DISTRICT COURT  
N.D. OF ALABAMA**SUPERSEDEAS AND COST BOND**JAMON T. BRIM  
v.

Plaintiff(s),

State Of

AlabamaMIDLAND CREDIT MANAGEMENT, INC.  
Defendant(s).

Case No.

CV-10-J-369-NE

KNOW ALL BY THESE PRESENTS, that we, MIDLAND CREDIT MANAGEMENT, INC., the Defendant above named, as Principal(s) and RLI INSURANCE COMPANY, 9025 N. Lindbergh Drive, Peoria, IL 61615, an Illinois corporation, duly authorized to do business in the State of Alabama, as Surety, are held and firmly bound unto JAMON T. BRIM, the Plaintiffs above named, as Obligee(s) in the penal sum of One Million and xx/100 DOLLARS (\$1,000,000.00). For the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the Obligee(s) has recovered a judgment against the Principal(s) in this action, and WHEREAS the Principal(s) intends to appeal from the judgment and gives this bond pursuant to Fed. Rule of Civ. Proc. 62(d).

NOW, THEREFORE, if the Principal(s) shall satisfy such final judgment as may be entered in this case, then this obligation to be void; otherwise to remain in full force and effect. In no event shall the total liability of the Surety for all breaches of the condition of this bond exceed the sum of One Million and xx/100 DOLLARS (\$1,000,000.00).

IN WITNESS WHEREOF, we have each set our hands this 3 day of June, 2011.

Principal: Midland Credit Management, Inc. (SEAL)By: Surety: RLI Insurance Company (SEAL)By: Aidan Sm

Aidan Smock, Attorney-in-Fact

BOND APPROVED

SHARON N. HARRIS, CLERK OF COURT  
CLERK, U. S. DISTRICT COURT



RLI Surety  
P.O. Box 3967 | Peoria, IL 61612-3967  
Phone: (800)645-2402 | Fax: (309)689-2036  
www.rlicorp.com

## POWER OF ATTORNEY

### RLI Insurance Company

#### Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **RLI Insurance Company**, an Illinois corporation, does hereby make, constitute and appoint:

Tim McClellan, Richard Hallett, Kathy Vanderslice, Penny Kelley, Nick Paxson, Aidan Smock jointly or severally.

in the City of San Diego, State of California its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

**Any and all bonds provided the bond penalty does not exceed Twenty Five Million Dollars (\$25,000,000.00).**

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The **RLI Insurance Company** further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of **RLI Insurance Company**, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the **RLI Insurance Company** has caused these presents to be executed by its Vice President with its corporate seal affixed this 4th day of May, 2011.



**RLI Insurance Company**

By: Roy C. Die Vice President

State of Illinois

County of Peoria

} SS

On this 4th day of May, 2011, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

By: Cherie L. Montgomery Notary Public



#### CERTIFICATE

I, the undersigned officer of **RLI Insurance Company**, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** this 3 day of June, 2011.

**RLI Insurance Company**

By: Roy C. Die Vice President

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

STATE OF CALIFORNIA

County of San Diego }On JUN 03 2011

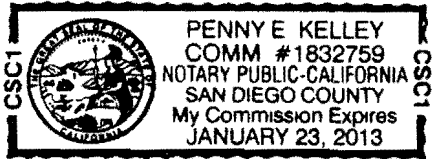
Date

before me, Penny E. Kelley, Notary Public

Here Insert Name and Title of the Officer

personally appeared Aidan Smock

Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal

Signature

Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

☐ Individual☐ Corporate Officer — Title(s): \_\_\_\_\_☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**RIGHT THUMBPRINT  
OF SIGNER**

Top of thumb here

Signer's Name: \_\_\_\_\_

☐ Individual☐ Corporate Officer — Title(s): \_\_\_\_\_☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

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OF SIGNER**

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